



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, APRIL 20, 2005

9:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **April 20, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Larry Ng (larry.ng@sanjoseca.gov)

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **H05-005. Site Development Permit** to allow the addition of two tanks and site modifications at an existing fuel storage facility on a 9.78 gross acres site in the HI Heavy Industrial Zoning District, located on the south side of Berryessa Road approximately 300 feet northeasterly of Highway 101 (1020 BERRYESSA RD) (Chevron Usa Inc, Owner). Council District 4. SNI: None. CEQA: Addendum to Negative Declaration.
- b. **SP05-006. Special Use Permit** to allow a temporary outdoor carnival event (six days) at an existing church facility on a 5.6 gross acre site in the R-1-5 Residence Zoning District, located on the south side of Silverland Drive approximately 100 feet westerly of Foxboro Place (3520 SAN FELIPE RD) (Evergreen Valley United Methodist Church, Owner). Council District 8. SNI: None. CEQA: Exempt.
- c. **SP05-002. Special Use Permit** to install a 67 hp backup generator atop a retail commercial building which is still under construction on a 10.33 gross acre site in the CP Pedestrian Commercial Zoning District, located on the south side of Story Road, and east side of King Road (TARGET) (1750 STORY RD) (City Of San Jose, Owner). Council District 5. SNI: East Valley/680 Communities. CEQA: Exempt.

- d. **PD04-076**. **Planned Development Permit** to construct 143 single-family attached residences and 12,000 square feet of commercial space on a 2.0 gross acres site in the A(PD) Planned Development Zoning District, located at the southeast corner of East Taylor Street and North 7th Street (660 7th Street) (Roem Development Corp, Owner). Council District 3. SNI: None. CEQA: Mitigated Negative Declaration.
- e. **PD05-014**. **Planned Development Permit** to construct a 5,200 square foot building for retail commercial uses on a 0.46 gross acre site in the A(PD) Planned Development Zoning District, located at the southwest corner of West Hedding Street and Coleman Street (879 COLEMAN AV) (Pbp Limited Partnership, Owner). Council District 3. SNI: None. CEQA: Mitigated Negative Declaration, PDC04-053.
- f. **TR05-004**. **Tree Removal Permit** to remove one Pine tree 77 inches in circumference on a 0.20 gross acre site. in the R-1-8 Single-Family Residence Zoning District, located at/on the 1621 Fairlawn Avenue (Tarvin Valerie S And Monsellei Liv Trust 5/, Owner). Council District 9. CEQA: <CEQA not found
- g. **H04-058**. **Site Development Permit** to construct a 5,040 square foot building for research and development office uses on a 0.4 gross acre site in the IP Industrial Park Zoning District, located on the north side of Story Road approximately 600 feet easterly of McLaughlin Avenue (1251 Story Road) (Phu Phu Chi And Ly Du Ngoc, Owner). Council District 7. SNI: None. CEQA: Exempt.
- h. **PDA73-003-01**. **Planned Development Permit Amendment** to allow the installation of security gates to an existing apartment complex on a 9.5 gross acre site in the R-M(PD) Planned Development Zoning District, located on the west side of Seven Trees Boulevard approximately 500 feet southerly of Cas Drive (3903 Seven Trees Boulevard) (Mid-Peninsula 7 Trees Inc, Owner). Council District 7. SNI: None. CEQA: Exempt.
- i. The projects being considered are located on southeast corner of Marburg Way and US State Highway 101, in the A(PD) Planned Development Zoning District (PETRONI CAROLINE M TRUSTEE & ET AL, PETRONI FAMILY PART LP, Owner). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Mitigated Negative Declaration.
 1. **PD04-083**. **Planned Development Permit** to construct 57 single-family attached residences on a 3.23 gross acre site.
 2. **PT04-118**. **Planned Tentative Map Permit** to subdivide two parcels into 15 lots for 57 single-family attached residences on a 3.23 gross acre site.

The consent calendar is now closed.

3. PUBLIC HEARING

This concludes the Planning Director's Hearing for April 20, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

April 13, 2005

PUBLIC HEARINGS

1. DEFERRALS

- a. **H05-010** **Defer to 5/11/05**

2. CONSENT CALENDAR

- a. **TR04-131** **APPROVED**
- b. **TR05-013** **APPROVED**
- c. **PD04-041** **APPROVED**
- d. **PD04-086** **APPROVED**
- e. **TR05-020** **APPROVED**
- f. **TR05-009** **APPROVED**
- g. **TR04-148** **APPROVED**
- h. **TR01-152** **APPROVED**
- i. **PDA92-038-03** **APPROVED**
- j. **SP05-001** **APPROVED**
- k.1 **SP04-065** **APPROVED**
- k.2 **H05-001** **APPROVED**

3. PUBLIC HEARING

- a. **PD05-003** **APPROVED**
- b. **PD04-090** **APPROVED**
- c. **PT04-103** **APPROVED**
- d. **PD04-089** **APPROVED**
- e. **TR01-092** **DENIED**